{deleted text} shows text that was in HB0207 but was deleted in HB0207S01.

Inserted text shows text that was not in HB0207 but was inserted into HB0207S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Christine F. Watkins proposes the following substitute bill:

LICENSE PLATE PLACEMENT AMENDMENTS

2019 GENERAL SESSION STATE OF UTAH

Chief Sponsor: Christine F. Watkins

Senate	Sponsor:	

LONG TITLE

General Description:

This bill {removes the requirement to have two license plates displayed and requires only one license plate be obtained and displayed on a vehicle} prohibits a citation for failure to attach a front license plate if the primary offense is a parking violation.

Highlighted Provisions:

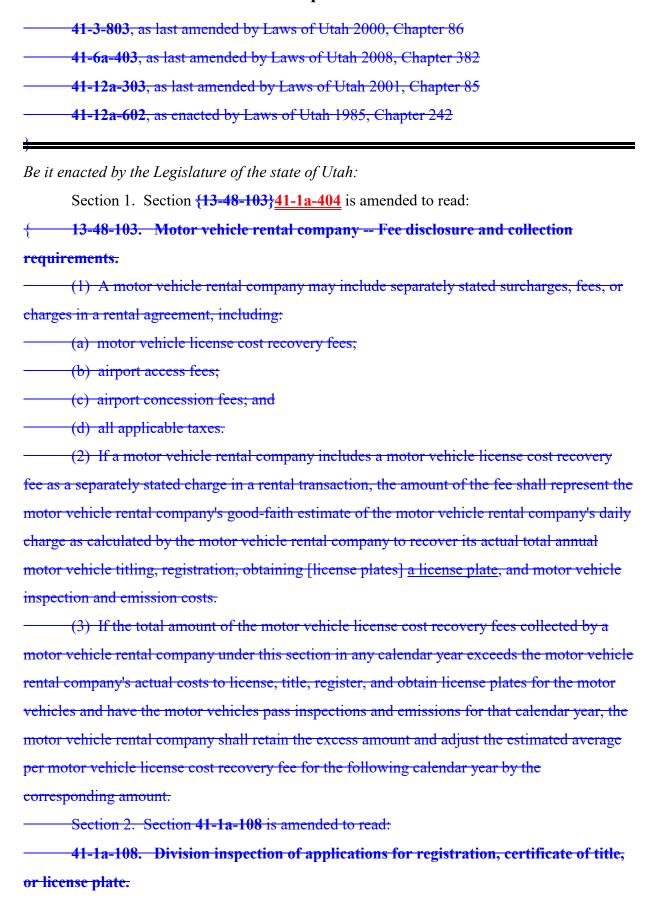
This bill:

- {removes the requirement that two license plates be issued and displayed;
- requires only one license plate be displayed on the rear of the vehicle; and
- makes technical changes} prohibits law enforcement from issuing a citation for a failure to attach a front license plate if the primary offense is a parking violation under the Traffic Code or a local parking ordinance.

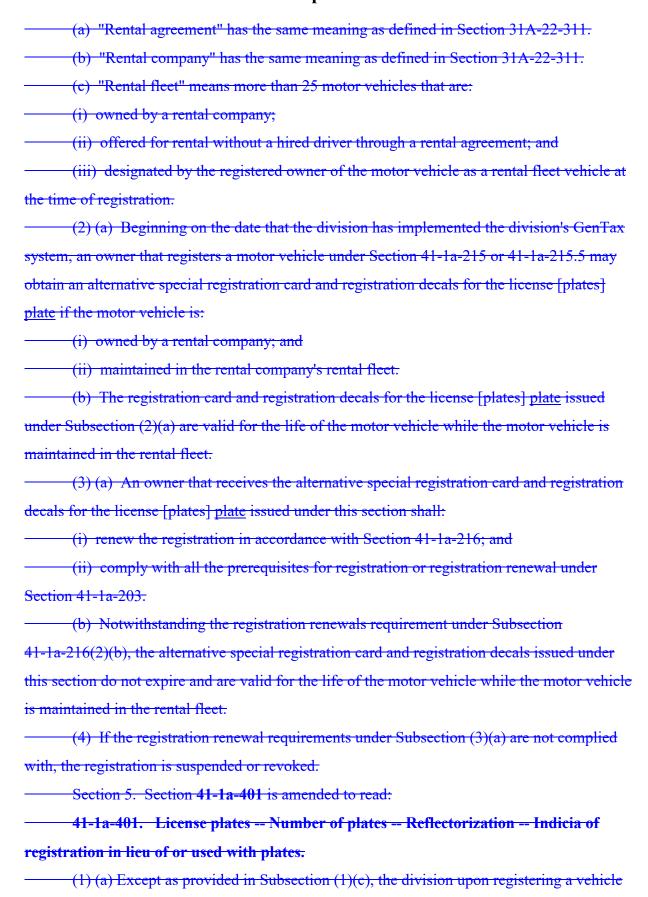
Money Appropriated in this Bill:

None

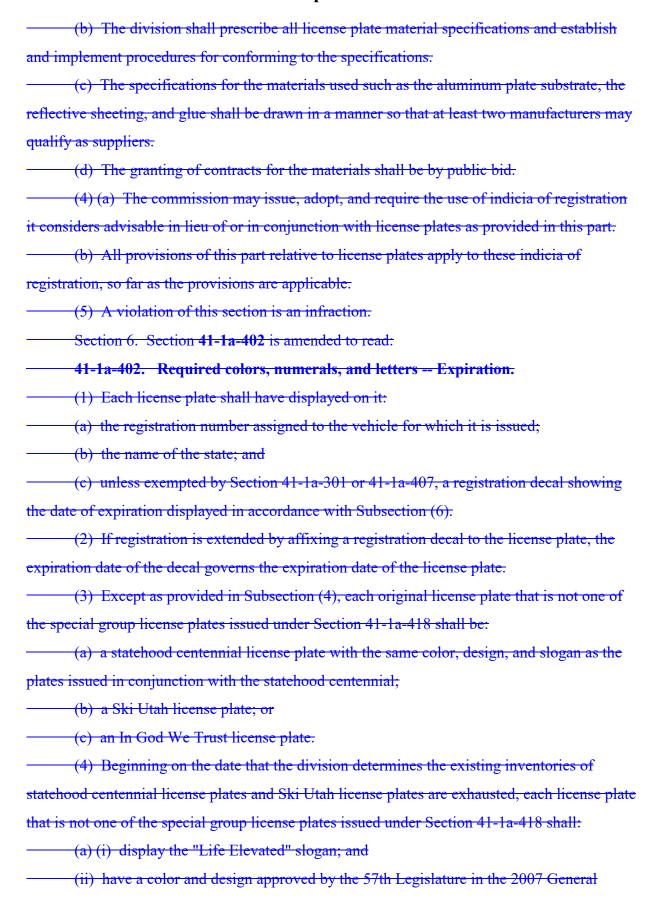
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Other Special Clauses:
     This bill provides a special effective date.
Utah Code Sections Affected:
AMENDS:
13-48-103, as enacted by Laws of Utah 2011, Chapter 357
      41-1a-108, as renumbered and amended by Laws of Utah 1992, Chapter 1
      41-1a-221, as last amended by Laws of Utah 2018, Chapter 20
      41-1a-232, as enacted by Laws of Utah 2013, Chapter 391
      41-1a-401, as last amended by Laws of Utah 2018, Chapters 260 and 454
      41-1a-402, as last amended by Laws of Utah 2018, Chapters 20 and 262
}
      41-1a-404, as last amended by Laws of Utah 2015, Chapters 81 and 412
      41-1a-407, as last amended by Laws of Utah 2018, Chapter 20
      41-1a-410, as last amended by Laws of Utah 1993, Chapter 222
  41-1a-411, as last amended by Laws of Utah 2016, Chapter 49
      41-1a-412, as renumbered and amended by Laws of Utah 1992, Chapter 1
      41-1a-413, as last amended by Laws of Utah 2018, Chapter 454
     41-1a-416, as last amended by Laws of Utah 2008, Chapter 382
      41-1a-418, as last amended by Laws of Utah 2018, Chapters 39, 99, and 260
      41-1a-419, as last amended by Laws of Utah 2018, Chapter 260
      41-1a-421, as last amended by Laws of Utah 2018, Chapter 39
      41-1a-422, as last amended by Laws of Utah 2018, Chapters 39, 260, and 415
      41-1a-701, as last amended by Laws of Utah 2018, Chapter 454
      41-1a-703, as last amended by Laws of Utah 2018, Chapter 454
      41-1a-704, as last amended by Laws of Utah 2015, Chapter 412
      41-1a-1105, as last amended by Laws of Utah 1998, Chapter 281
      41-1a-1211, as last amended by Laws of Utah 2015, Chapter 119
      41-3-105, as last amended by Laws of Utah 2018, Chapter 387
      41-3-209, as last amended by Laws of Utah 2018, Chapter 387
      41-3-210, as last amended by Laws of Utah 2018, Chapter 387
      41-3-702, as last amended by Laws of Utah 2018, Chapter 387
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(1) The division shall examine and determine the genuineness, regularity, and legality
of each application for:
(a) registration of a vehicle;
(b) a certificate of title for a vehicle, vessel, or outboard motor;
(c) [license plates] a license plate; and
(d) any other request lawfully made to the division.
(2) The division may investigate or require additional information on any application
or request necessary to implement this chapter.
(3) When the division is satisfied as to the genuineness, regularity, and legality of an
application and that the applicant is entitled to register the vehicle and to the issuance of a
certificate of title, the division shall register the vehicle, issue a certificate of title and issue
[license plates] a license plate.
Section 3. Section 41-1a-221 is amended to read:
41-1a-221. Registration of vehicles of political subdivisions or state Expiration
of registration Certification of information Failure to comply.
(1) (a) An entity referred to in Subsection 41-1a-407(1) shall register each vehicle that
it owns, operates, or leases.
(b) This section does not apply to unmarked vehicles referred to in Section 41-1a-407.
(2) A registration card and license plate issued to an entity under this section or
Subsection 41-1a-407(1) are in full force and effect until the vehicle is no longer owned or
operated by that entity.
(3) (a) If the owner of a vehicle subject to the provisions of this section transfers or
assigns title or interest in the vehicle, the registration of that vehicle expires.
(b) The transferor shall remove the license [plates] plate and within 20 days from the
date of transfer:
(i) destroy the license [plates] plate; or
(ii) forward the license [plates] plate to the division to be destroyed.
(4) A violation of this section is an infraction.
Section 4. Section 41-1a-232 is amended to read:
41-1a-232. Special rental company vehicle registration decals and license plates.
(1) As used in this section:



shall issue to the owner: (i) one license plate for a motorcycle, trailer, or semitrailer; (ii) one decal for a park model recreational vehicle, in lieu of a license plate, which shall be attached in plain sight to the rear of the park model recreational vehicle; (iii) one decal for a camper, in lieu of a license plate, which shall be attached in plain sight to the rear of the camper; and (iv) [two identical license plates] one license plate for every other vehicle. (b) The license plate or decal issued under Subsection (1)(a) is for the particular vehicle registered and may not be removed during the term for which the license plate or decal is issued or used upon any other vehicle than the registered vehicle. (c) (i) Notwithstanding Subsections (1)(a) and (b) and except as provided in Subsection (1)(c)(ii), the division, upon registering a motor vehicle that has been sold, traded, or the ownership of which has been otherwise released, shall transfer the license plate issued to the person applying to register the vehicle if: (A) the previous registered owner has included the license plate as part of the sale, trade, or ownership release; and (B) the person applying to register the vehicle applies to transfer the license plate to the new registered owner of the vehicle. (ii) The division may not transfer a personalized or special group license plate to a new registered owner under this Subsection (1)(c) if the new registered owner does not meet the qualification or eligibility requirements for that personalized or special group license plate under Sections 41-1a-410 through 41-1a-422. (2) The division may receive applications for registration renewal, renew registration, and issue a new license [plates] plate or decals at any time prior to the expiration of registration. (3) (a) (i) All license plates to be manufactured and issued by the division shall be treated with a fully reflective material on the plate face that provides effective and dependable reflective brightness during the service period of the license plate. (ii) For a historical support special group license plate created under this part, the division shall procure reflective material to satisfy the requirement under Subsection (3)(a)(i) as soon as such material is available at a reasonable cost.



Session that features: (A) a skier with the "Greatest Snow on Earth" slogan; or (B) Delicate Arch; (b) be an In God We Trust license plate; or (c) beginning on the date that the division determines the existing inventories of decals for an apportioned vehicle described in Section 41-1a-301 are exhausted, be a distinctive license plate displaying the word "apportioned" or the abbreviation "APP." (5) (a) Except as provided under Subsection 41-1a-215(2) and Section 41-1a-216, [license plates] a license plate shall be renewed annually. (b) (i) The division shall issue the vehicle owner a month decal and a year decal upon the vehicle's first registration with the division. (ii) The division shall issue the vehicle owner only a year decal upon subsequent renewals of registration to validate registration renewal. (6) The decals issued in accordance with Subsection (5) shall be applied as follows: (a) for [license plates] a license plate issued beginning in 1974 through 1985, decals displayed on a license [plates] plate with black lettering on a white background shall be applied to the lower left-hand corner of the [rear of the license plate vehicles] license plate; (b) decals displayed on [statehood centennial license plates and on Ski Utah license plates] a statehood centennial license plate and on a Ski Utah license plate issued in accordance with Subsection (3) shall be applied to the upper left-hand corner of the [rear] license plate; (c) decals displayed on special group license plates issued in accordance with Section 41-1a-418 shall be applied to the upper right-hand corner of the license plate unless there is a plate indentation on the upper left-hand corner of the license plate; (d) decals displayed on [license plates] a license plate with the "Life Elevated" slogan issued in accordance with Subsection (4) shall be applied in the upper left-hand corner for the month decal and the upper right-hand corner for the year decal; (e) decals displayed on [license plates] a license plate with the "In God We Trust" slogan issued in accordance with Subsection (4)(b) shall be applied in the upper right-hand corner of the [rear] license plate unless there is a plate indentation on the upper left-hand corner of the license plate; (f) decals issued for motorcycles shall be applied to the upper corner of the license

(g) decals displayed on [license plates] a license plate issued under Section 41-1a-416 shall be applied as appropriate for the year of the plate. (7) (a) The month decal issued in accordance with Subsection (5) shall be displayed on

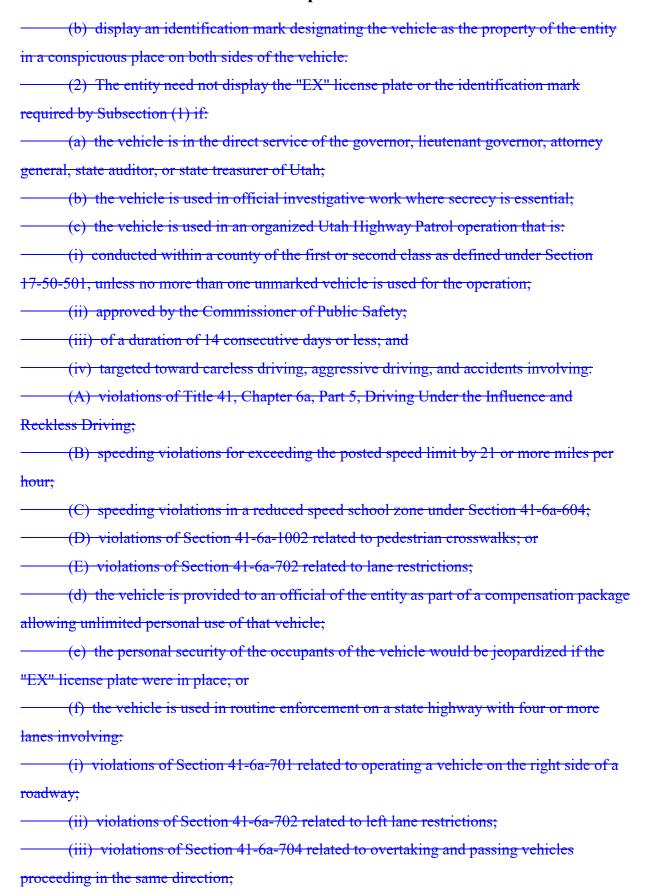
- (b) The year decal issued in accordance with Subsection (5) shall be displayed on the license plate in the right position.
- (8) The current year decal issued in accordance with Subsection (5) shall be placed over or in place of the previous year decal.
- (9) If a license plate, month decal, or year decal is lost or destroyed, a replacement shall be issued upon application and payment of the fees required under Section 41-1a-1211 or 41-1a-1212.
 - (10) (a) A violation of this section is an infraction.

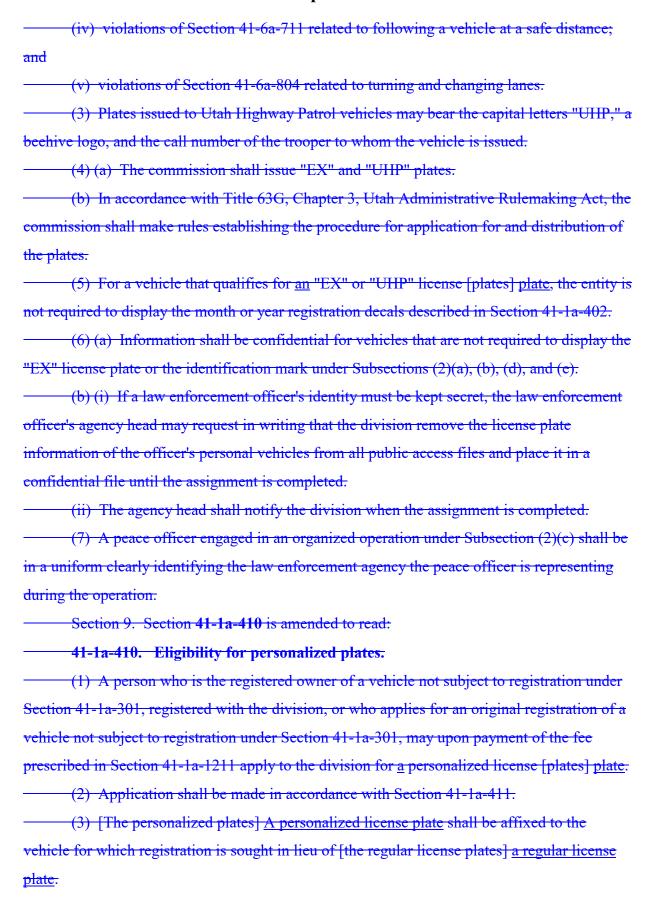
the license plate in the left position.

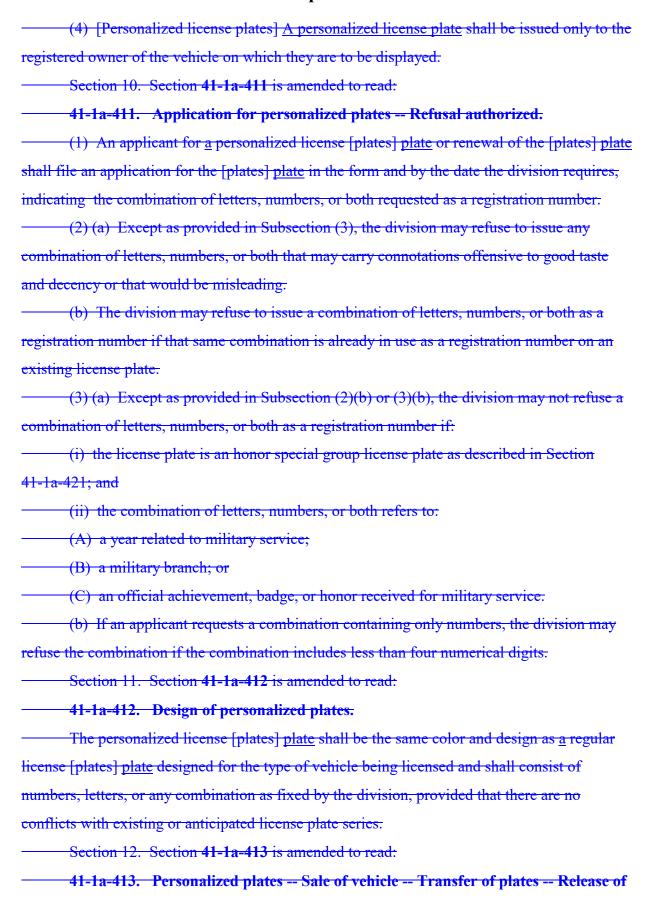
- (b) A court shall waive a fine for a violation under this section if:
- (i) the registration for the vehicle was current at the time of the citation; and
- (ii) the person to whom the citation was issued provides, within 21 business days, evidence that the license plate and decals are properly displayed in compliance with this section.
 - Section 7. Section 41-1a-404 is amended to read:
- † 41-1a-404. Location and position of plates -- Visibility of plates -- Exceptions.
- {{}}(1) License plates issued for a vehicle other than a motorcycle, trailer, or semitrailer shall be attached to the vehicle, one in the front and the other in the rear.{{}}
- $\{[](2),\{](1)\}$ The license plate issued for a motorcycle, trailer, $\{[](2),\{](1)\}$ semitrailer $\{[], or \}$ shall be attached to the rear of the motorcycle, trailer, $\{[](2),\{](1)\}$ semitrailer $\{[], or \}$ vehicle $\}$.
- $\{\{\}\}$ Except as provided in Subsection $\{\{\}\}$, a license plate shall at all times be:
 - (a) securely fastened:
- (i) in a horizontal position to the vehicle for which it is issued to prevent the plate from swinging;
 - (ii) at a height of not less than 12 inches from the ground, measuring from the bottom

of the plate; and

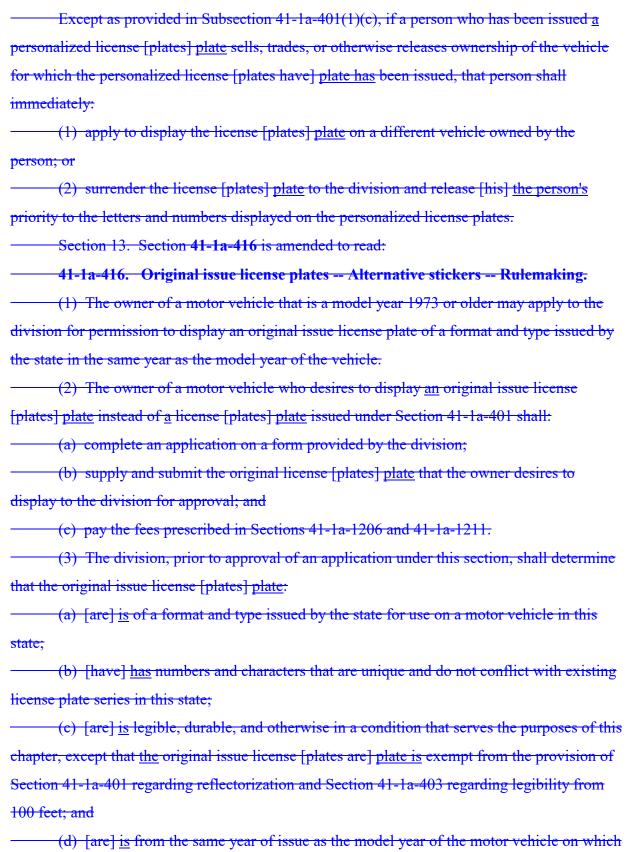
- (iii) in a place and position to be clearly visible; and
- (b) maintained:
- (i) free from foreign materials; and
- (ii) in a condition to be clearly legible.
- {}}(4) Enforcement by a state or local law enforcement officer of the requirement under Subsection (1) to attach a license plate to the front of a vehicle shall be only as a secondary action when the vehicle has been detained for a suspected violation by any person in the vehicle of Title 41, Motor Vehicles, other than:
- (a) the requirement under Subsection (1) to attach a license plate to the front of the vehicle [, or for another offense.]:
 - (b) a parking violation under Section 41-6a-1401; or
 - (c) a violation of a parking ordinance of a political subdivision.
- $\{\{\}\}$ (5) $\{\}$ (2) $\{\}$ (a)(iii) and $\{\{\}\}$ (b) do not apply to a license plate that is obscured exclusively by one or more of the following devices or by the cargo the device is carrying, if the device is installed according to manufacturer specifications or generally accepted installation practices:
 - (a) a trailer hitch;
 - (b) a wheelchair lift or wheelchair carrier;
 - (c) a trailer being towed by the vehicle;
 - (d) a bicycle rack, ski rack, or luggage rack; or
 - (e) a similar cargo carrying device.
 - $\{\{\}\}$ (6) $\{\}$ (4) $\{\}$ A violation of this section is an infraction.
- Section 8. Section 41-1a-407 is amended to read:
- 41-1a-407. Plates issued to political subdivisions or state -- Use of "EX" letters -- Confidential information.
- (1) Except as provided in Subsection (2), each municipality, board of education, school district, state institution of learning, county, other governmental division, subdivision, or district, and the state shall:
- (a) place a license plate displaying the letters, "EX" on every vehicle owned and operated by it or leased for its exclusive use; and







priority.

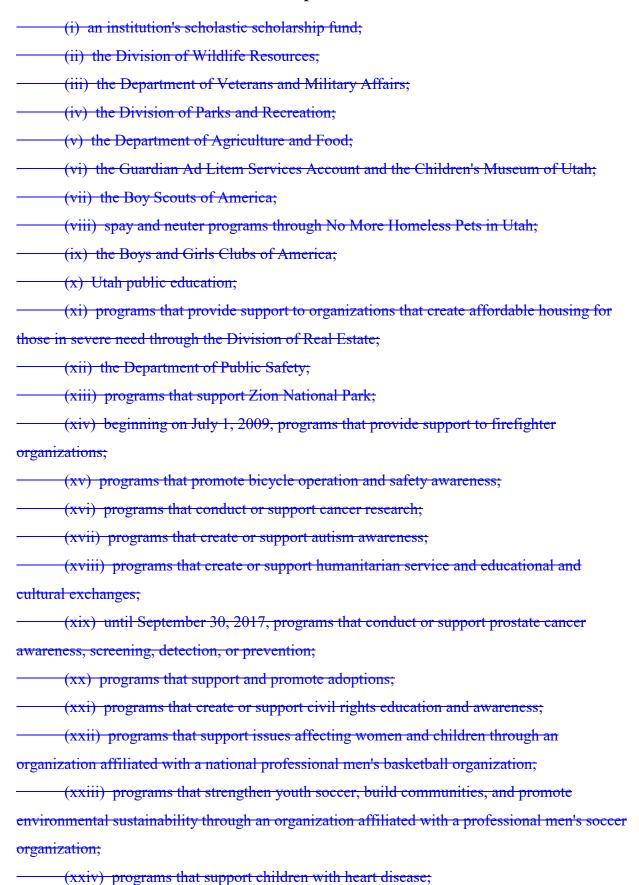


they are to be displayed. (4) An owner of a motor vehicle displaying an original issue license [plates] plate approved under this section is not exempt from any other requirement of this chapter except as specified under this section. (5) (a) An owner of a motor vehicle currently registered in this state whose original issue license [plates are] plate is not approved by the division because of the requirement in Subsection (3)(b) may apply to the division for a sticker to allow the temporary display of the original issue license [plates] plate if: (i) the [plates otherwise comply] plate otherwise complies with this section; (ii) the [plates are] plate is only displayed when the motor vehicle is used for participating in motor vehicle club activities, exhibitions, tours, parades, and similar activities and [are] is not used for general daily transportation; (iii) the license [plates] plate and registration issued under this chapter for normal use of the motor vehicle on the highways of this state [are] is kept in the motor vehicle and shown to a peace officer on request; and (iv) the sticker issued by the division under this subsection is properly affixed to the face of the original issue license plate. (b) The sticker issued under this section shall be the size and form customarily furnished by the division. (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may make rules for the implementation of this section. Section 14. Section 41-1a-418 is amended to read: 41-1a-418. Authorized special group license plates. (1) The division shall only issue a special group license [plates] plate in accordance with this section through Section 41-1a-422 to a person who is specified under this section within the categories listed as follows: (a) <u>a</u> disability special group license [plates] <u>plate</u> issued in accordance with Section 41-1a-420: (b) an honor special group license [plates] plate, as in a war hero, which [plates are]

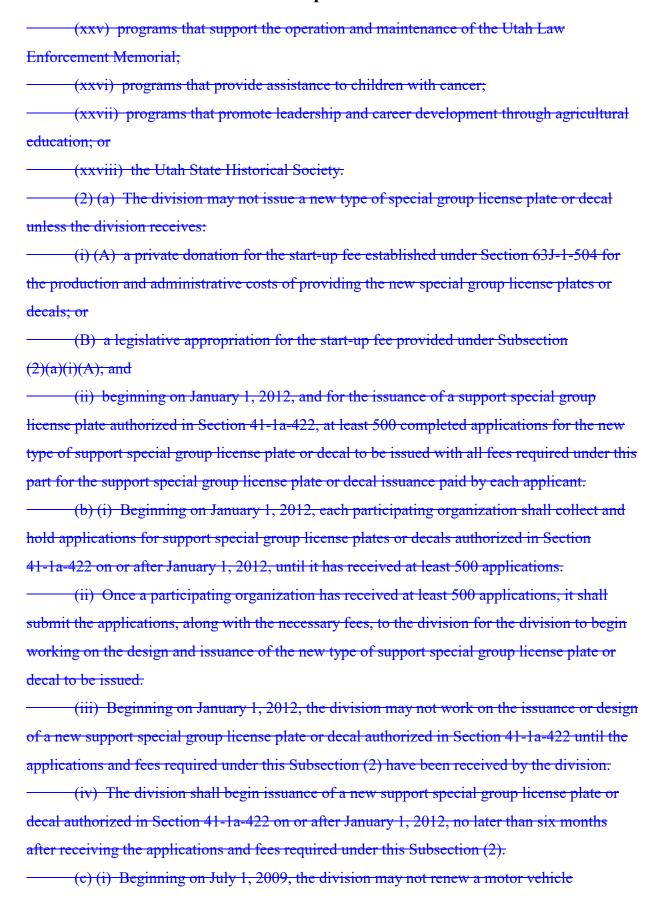
(i) survivor of the Japanese attack on Pearl Harbor;

plate is issued for a:

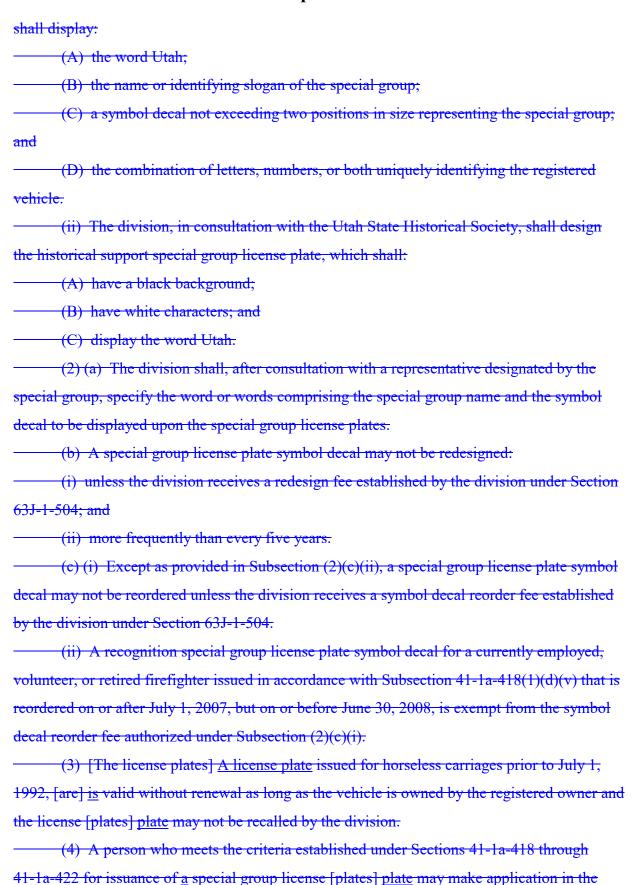
(ii) former prisoner of war;
(iii) recipient of a Purple Heart;
(iv) disabled veteran;
(v) recipient of a gold star award issued by the United States Secretary of Defense; or
(vi) recipient of a campaign or combat theater award determined by the Department of
Veterans and Military Affairs;
(c) <u>a unique vehicle type special group license [plates] plate</u> , as for historical,
collectors value, or other unique vehicle type, which [plates are] plate is issued for:
(i) a special interest vehicle;
(ii) a vintage vehicle;
(iii) a farm truck; or
(iv) (A) until Subsection (1)(c)(iv)(B) or (4) applies, a vehicle powered by clean fuel as
defined in Section 59-13-102; or
(B) beginning on the effective date of rules made by the Department of Transportation
authorized under Subsection 41-6a-702(5)(b) and until Subsection (4) applies, a vehicle
powered by clean fuel that meets the standards established by the Department of Transportation
in rules authorized under Subsection 41-6a-702(5)(b);
(d) <u>a recognition special group license [plates] plate</u> , which [plates are] <u>plate is issued</u>
for:
(i) a current member of the Legislature;
(ii) a current member of the United States Congress;
(iii) a current member of the National Guard;
(iv) a licensed amateur radio operator;
(v) a currently employed, volunteer, or retired firefighter until June 30, 2009;
(vi) an emergency medical technician;
(vii) a current member of a search and rescue team;
(viii) a current honorary consulate designated by the United States Department of
State; or
(ix) an individual supporting commemoration and recognition of women's suffrage; or
(e) <u>a support special group license [plates] plate</u> , as for a contributor to an institution or
cause, which [plates are] plate is issued for a contributor to:



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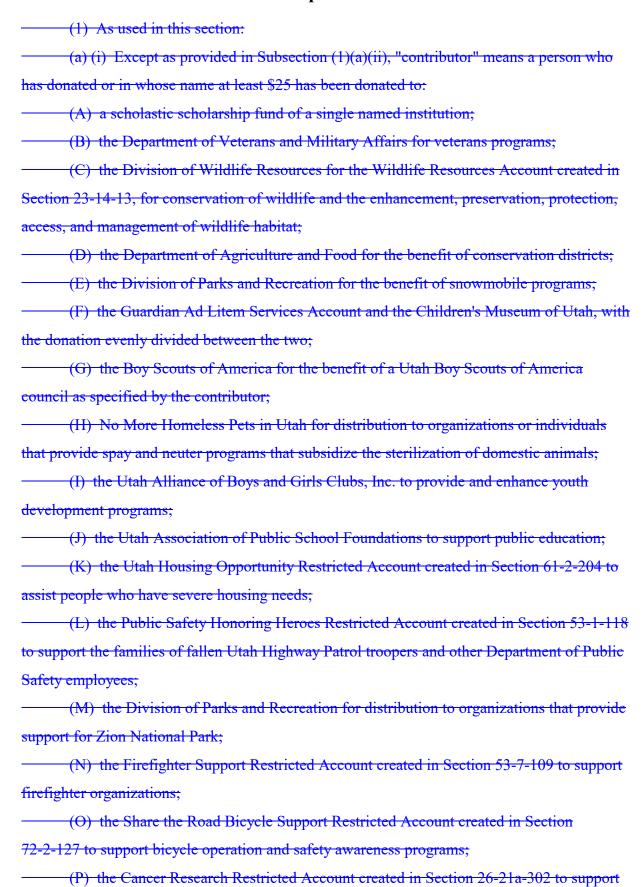


registration of a motor vehicle that has been issued a firefighter recognition special group license plate unless the applicant is a contributor as defined in Subsection 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account. (ii) A registered owner of a vehicle that has been issued a firefighter recognition special group license plate prior to July 1, 2009, upon renewal of the owner's motor vehicle registration shall: (A) be a contributor to the Firefighter Support Restricted Account as required under Subsection (2)(c)(i); or (B) replace the firefighter recognition special group license plate with a new license plate. (3) Beginning on July 1, 2011, if a support special group license plate or decal type authorized in Section 41-1a-422 and issued on or after January 1, 2012, has fewer than 500 license plates issued each year for a three consecutive year time period that begins on July 1, the division may not issue that type of support special group license plate or decal to a new applicant beginning on January 1 of the following calendar year after the three consecutive year time period for which that type of support special group license plate or decal has fewer than 500 license plates issued each year. (4) Beginning on July 1, 2011, the division may not issue to an applicant a unique vehicle type license plate for a vehicle powered by clean fuel under Subsection (1)(c)(iv). (5) (a) Beginning on October 1, 2017, the division may not issue a new prostate cancer support special group license plate. (b) A registered owner of a vehicle that has been issued a prostate cancer support special group license plate before October 1, 2017, may renew the owner's motor vehicle registration, with the contribution allocated as described in Section 41-1a-422. Section 15. Section 41-1a-419 is amended to read: 41-1a-419. Plate design -- Vintage vehicle certification and registration --Personalized special group license plates -- Rulemaking. (1) (a) The design and maximum number of numerals or characters on a special group license [plates] plate shall be determined by the division in accordance with the requirements under Subsection (1)(b). (b) (i) Except as provided in Subsection (1)(b)(ii), each special group license plate



same manner provided in Sections 41-1a-410 and 41-1a-411 for a personalized special group license [plates] plate. (5) The commission shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to: (a) establish qualifying criteria for persons to receive, renew, or surrender special group license plates; and (b) establish the maximum number of numerals or characters for special group license plates. Section 16. Section 41-1a-421 is amended to read: 41-1a-421. Honor special group license plates -- Personal identity requirements. (1) (a) The requirements of this Subsection (1) apply to a vehicle displaying a: (i) survivor of the Japanese attack on Pearl Harbor license plate; (ii) former prisoner of war license plate; (iii) Purple Heart license plate; (iv) disabled veteran license plate; or (v) campaign or combat theater award license plate. (b) The vehicle shall be titled in the name of the veteran or the veteran and spouse. (c) Upon the death of the veteran, the surviving spouse may, upon application to the division, retain the special group license plate decal so long as the surviving spouse remains unmarried. (d) The division shall require the surviving spouse to make a sworn statement that the surviving spouse is unmarried before renewing the registration under this section. (2) Proper evidence of a Purple Heart is either: (a) a membership card in the Military Order of the Purple Heart; or (b) an original or certificate in lieu of the applicant's military discharge form, DD-214, issued by the National Personnel Records Center. (3) The Purple Heart license [plates] plate shall bear: (a) the words "Purple Heart" at the bottom of the plate; (b) a logo substantially depicting a Purple Heart award; and (c) the letter and number combinations assigned by the division. (4) Proper evidence that a person is a disabled veteran is a written document issued by

a military entity certifying that the person is disabled as a result of service in a branch of the United States Military. (5) A disabled veteran seeking a disabled veteran license plate shall request the Department of Veterans and Military Affairs to provide the verification required under Subsection (4). (6) (a) An applicant for a gold star license plate shall submit written documentation that the applicant is a recipient of a gold star award issued by the United States Secretary of Defense. (b) Written documentation under Subsection (6)(a) may include any of the following: (i) a death certificate; (ii) documentation showing classification of death as listed by the United States Secretary of Defense; (iii) a casualty report; (iv) a telegram from the United States Secretary of Defense or one of the branches of the United States armed forces; or (v) other documentation that verifies the applicant meets the requirements of Subsection (6)(a). (7) An applicant for a campaign or combat theater award special group license plate shall: (a) be a contributor in accordance with Subsections 41-1a-422(1)(a)(i)(B) and (1)(a)(ii)(A); and (b) submit a form to the division obtained from the Department of Veterans and Military Affairs which verifies that the applicant qualifies for the campaign or combat theater award special group license plate requested. (8) Each campaign or combat theater award special group license plate authorized by the Department of Veterans and Military Affairs shall be considered a new special group license plate and require the payment of the fees associated with newly authorized special group license plates. Section 17. Section 41-1a-422 is amended to read: 41-1a-422. Support special group license plates -- Contributor -- Voluntary contribution collection procedures.



cancer research programs; (Q) Autism Awareness Restricted Account created in Section 53F-9-401 to support autism awareness programs; (R) Humanitarian Service and Educational and Cultural Exchange Restricted Account created in Section 9-17-102 to support humanitarian service and educational and cultural programs; (S) Prostate Cancer Support Restricted Account created in Section 26-21a-303 for programs that conduct or support prostate cancer awareness, screening, detection, or prevention until September 30, 2017, and beginning on October 1, 2017, upon renewal of a prostate cancer support special group license plate, to the Cancer Research Restricted Account created in Section 26-21a-302 to support cancer research programs; (T) the Choose Life Adoption Support Restricted Account created in Section 62A-4a-608 to support programs that promote adoption; (U) the Martin Luther King, Jr. Civil Rights Support Restricted Account created in Section 9-18-102: (V) the National Professional Men's Basketball Team Support of Women and Children Issues Restricted Account created in Section 62A-1-202; (W) the Utah Law Enforcement Memorial Support Restricted Account created in Section 53-1-120; (X) the Children with Cancer Support Restricted Account created in Section 26-21a-304 for programs that provide assistance to children with cancer; (Y) the National Professional Men's Soccer Team Support of Building Communities Restricted Account created in Section 9-19-102; (Z) the Children with Heart Disease Support Restricted Account created in Section 26-58-102; (AA) the Utah Intracurricular Student Organization Support for Agricultural Education and Leadership Restricted Account created in Section 4-42-102; (BB) the Division of Wildlife Resources for the Support for State-Owned Shooting Ranges Restricted Account created in Section 23-14-13.5, for the creation of new, and operation and maintenance of existing, state-owned firearm shooting ranges; or (CC) the Utah State Historical Society to further the mission and purpose of the Utah

State Historical Society. (ii) (A) For a veterans special group license plate, "contributor" means a person who has donated or in whose name at least a \$25 donation at the time of application and \$10 annual donation thereafter has been made. (B) For a Utah Housing Opportunity special group license plate, "contributor" means a person who: (I) has donated or in whose name at least \$30 has been donated at the time of application and annually after the time of application; and (II) is a member of a trade organization for real estate licensees that has more than 15,000 Utah members. (C) For an Honoring Heroes special group license plate, "contributor" means a person who has donated or in whose name at least \$35 has been donated at the time of application and annually thereafter. (D) For a firefighter support special group license plate, "contributor" means a person who: (I) has donated or in whose name at least \$15 has been donated at the time of application and annually after the time of application; and (II) is a currently employed, volunteer, or retired firefighter. (E) For a cancer research special group license plate, "contributor" means a person who has donated or in whose name at least \$35 has been donated at the time of application and annually after the time of application. (F) For a Martin Luther King, Jr. Civil Rights Support special group license plate, "contributor" means a person who has donated or in whose name at least \$35 has been donated at the time of application and annually thereafter. (G) For a Utah Law Enforcement Memorial Support special group license plate, "contributor" means a person who has donated or in whose name at least \$35 has been donated at the time of application and annually thereafter.

(2) (a) An applicant for an original or renewal collegiate special group license [plates]

(b) "Institution" means a state institution of higher education as defined under Section

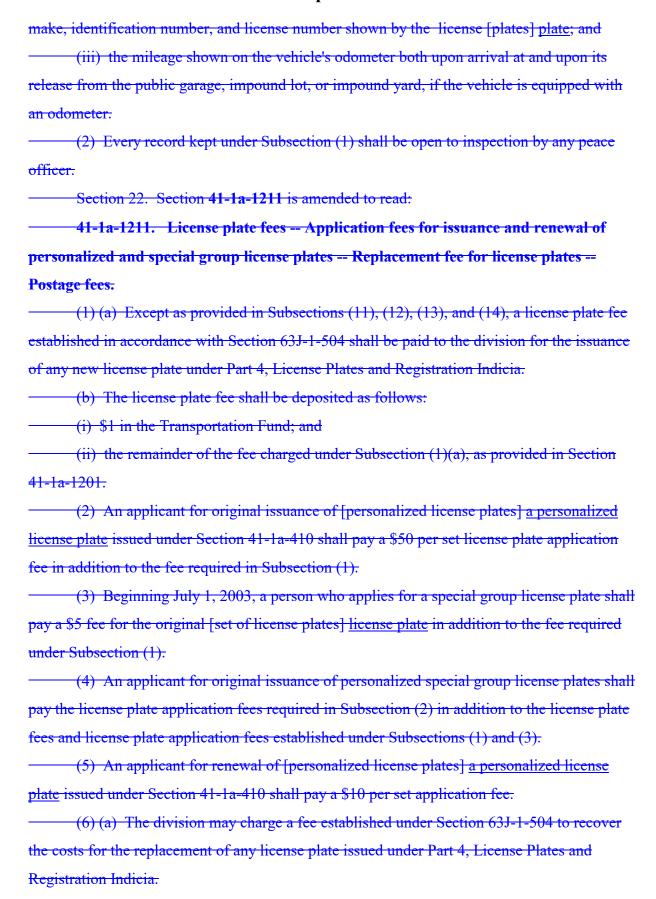
53B-3-102 or a private institution of higher education in the state accredited by a regional or

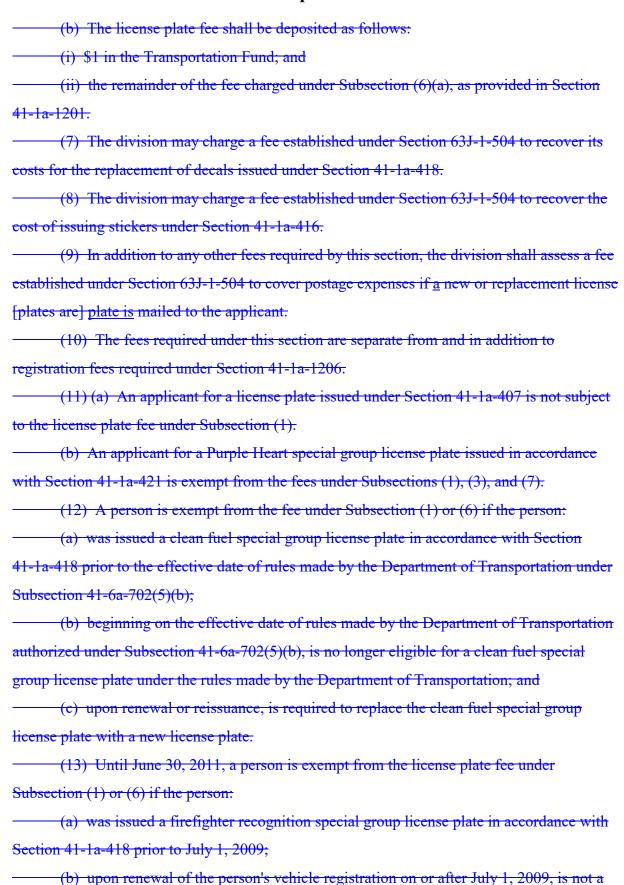
national accrediting agency recognized by the United States Department of Education.

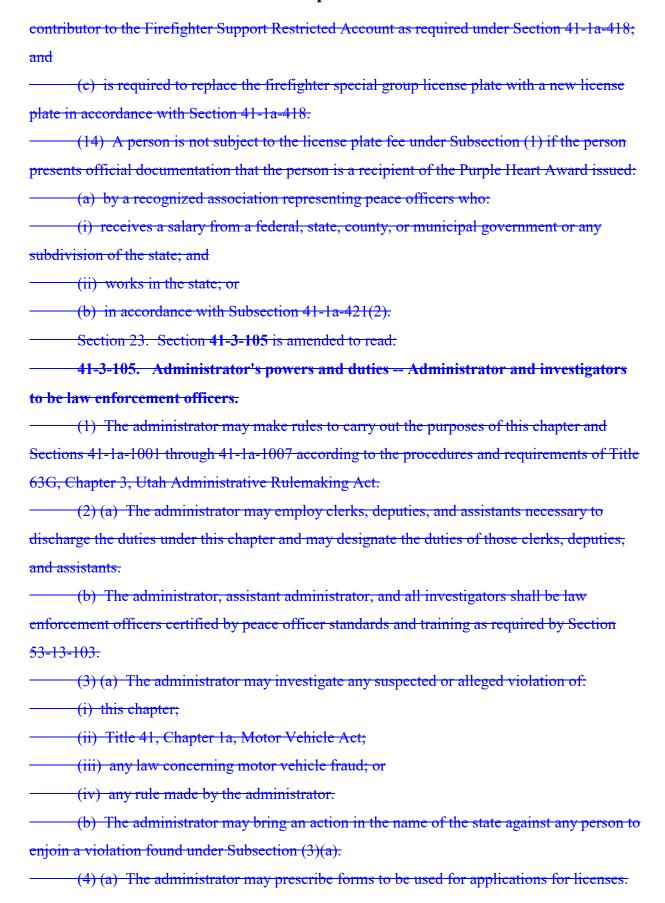
plate under Subsection (1)(a)(i) must be a contributor to the institution named in the application and present the original contribution verification form under Subsection (2)(b) or make a contribution to the division at the time of application under Subsection (3). (b) An institution with a support special group license plate shall issue to a contributor a verification form designed by the commission containing: (i) the name of the contributor; (ii) the institution to which a donation was made; (iii) the date of the donation; and (iv) an attestation that the donation was for a scholastic scholarship. (c) The state auditor may audit each institution to verify that the money collected by the institutions from contributors is used for scholastic scholarships. (d) After an applicant has been issued a collegiate license [plates] plate or renewal decals, the commission shall charge the institution whose plate was issued[,] a fee determined in accordance with Section 63J-1-504 for management and administrative expenses incurred in issuing and renewing the collegiate license [plates] plate. (e) If the contribution is made at the time of application, the contribution shall be collected, treated, and deposited as provided under Subsection (3). (3) (a) An applicant for an original or renewal support special group license [plates] plate under this section must be a contributor to the sponsoring organization associated with the license plate. (b) This contribution shall be: (i) unless collected by the named institution under Subsection (2), collected by the division; (ii) considered a voluntary contribution for the funding of the activities specified under this section and not a motor vehicle registration fee; (iii) deposited into the appropriate account less actual administrative costs associated with issuing the license [plates] plate; and (iv) for a firefighter special group license plate, deposited into the appropriate account less: (A) the costs of reordering firefighter special group license plate decals; and (B) the costs of replacing a recognition special group license [plates] plate with a new

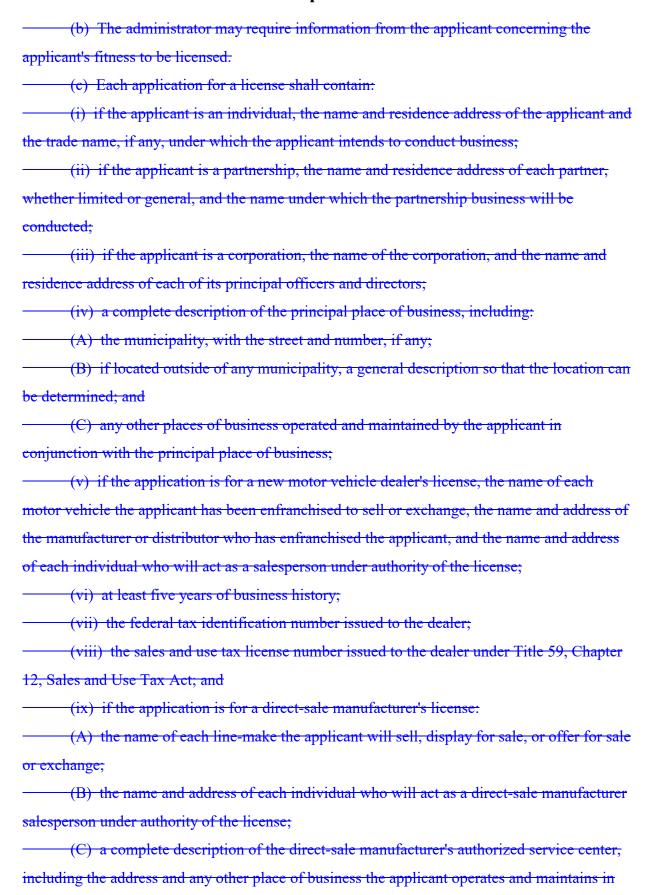
license [plates] plate under Subsection 41-1a-1211(13). (c) The donation described in Subsection (1)(a) must be made in the 12 months prior to registration or renewal of registration. (d) The donation described in Subsection (1)(a) shall be a one-time donation made to the division when issuing an original: (i) snowmobile license [plates] plate; or (ii) conservation license [plates] plate. (4) [Veterans license plates] A veterans license plate shall display one of the symbols representing the Army, Navy, Air Force, Marines, Coast Guard, or American Legion. Section 18. Section 41-1a-701 is amended to read: 41-1a-701. Transfer by owner -- Removal of plates. (1) (a) If the owner of a registered vehicle transfers the title or interest to the vehicle the registration of the vehicle expires. (b) Unless an owner has included the transfer of a license plate as part of a sale, trade, or ownership release of a vehicle, the owner shall remove the license [plates] plate from the transferred vehicle. (2) (a) If an owner does not transfer a license plate to a person as part of a sale, trade, or ownership release of a vehicle, within 20 days from the date of transfer the owner shall forward the [plates] plate to the division to be destroyed or may have the [plates] plate assigned to another vehicle, subject to the rules of the division. (b) If an owner transfers a license plate as part of a sale, trade, or ownership release of a vehicle, the new registered owner of the transferred vehicle shall apply to the division to have the [plates] plate assigned to the new registered owner. (3) A violation of this section is an infraction. Section 19. Section 41-1a-703 is amended to read: 41-1a-703. New owner to secure new registration and new certificate of title. (1) The transferee, before operating or permitting the operation of a transferred vehicle on a highway, shall: (a) present to the division the certificate of registration and the certificate of title, properly endorsed; (b) apply for a new certificate of title and obtain a new registration for the transferred

vehicle, as upon an original registration, except as permitted under Sections 41-1a-223, 41-1a-520, and 41-1a-704; and (c) apply to the division to have the license [plates] plate assigned to the new registered owner of the transferred vehicle if the license [plates were] plate was included as part of the sale, trade, or ownership release of the transferred vehicle. (2) A violation of this section is an infraction. Section 20. Section 41-1a-704 is amended to read: 41-1a-704. Transfer by operation of law. (1) Except as provided under Subsection (2), if the title or interest of an owner in or to a registered vehicle passes to another person other than by voluntary transfer: (a) the registration of the vehicle expires; and (b) the vehicle may not be operated upon a highway until the person entitled to possession of the vehicle applies for and obtains a valid registration or temporary permit. (2) (a) A vehicle under Subsection (1) may be operated on the highways by the person entitled to its possession or his legal representative, for a distance not exceeding 75 miles, upon displaying on the vehicle the license [plates] plate issued to the former owner. (b) If title is vested in a person holding a lien or encumbrance on the vehicle, the new title holder may apply to the Motor Vehicle Enforcement Division for [special plates] a special plate issued under Section 41-3-505 to transporters and may operate the repossessed vehicle under the special plate for the purposes of: (i) transporting the vehicle to a garage or warehouse; or (ii) demonstrating the vehicle for sale. (3) A violation of this section is an infraction. Section 21. Section 41-1a-1105 is amended to read: 41-1a-1105. Records to be kept by public garage, impound lot, or impound yard. (1) (a) Each person engaged in the business of operating a public garage, impound lot, or impound yard shall keep a record of every vehicle, vessel, or outboard motor stored in it for compensation for a period longer than 12 hours. (b) The record shall include: (i) the name and address of the person storing the vehicle, vessel, or outboard motor; (ii) a brief description of the vehicle, vessel, or outboard motor, including the name or







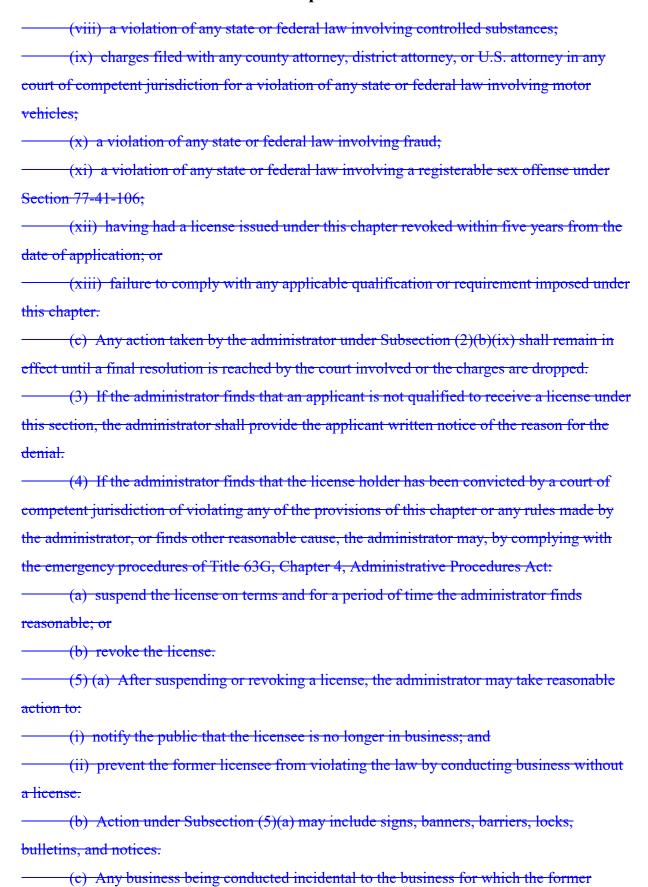


conjunction with the authorized service center; (D) a sworn statement that the applicant complies with each qualification for a direct-sale manufacturer under this chapter; (E) a sworn statement that if at any time the applicant fails to comply with a qualification for a direct-sale manufacturer under this chapter, the applicant will inform the division in writing within 10 business days after the day on which the noncompliance occurs; and (F) an acknowledgment that if the applicant fails to comply with a qualification for a direct-sale manufacturer under this chapter, the administrator will deny, suspend, or revoke the applicant's direct-sale manufacturer license in accordance with Section 41-3-209. (5) The administrator may adopt a seal with the words "Motor Vehicle Enforcement Administrator, State of Utah," to authenticate the acts of the administrator's office. (6) (a) The administrator may require that a licensee erect or post signs or devices on the licensee's principal place of business and any other sites, equipment, or locations operated and maintained by the licensee in conjunction with the licensee's business. (b) The signs or devices shall state the licensee's name, principal place of business, type and number of licenses, and any other information that the administrator considers necessary to identify the licensee. (c) The administrator may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, determining allowable size and shape of signs or devices, lettering and other details of signs or devices, and location of signs or devices. (7) (a) The administrator shall provide for quarterly meetings of the advisory board and may call special meetings. (b) Notices of all meetings shall be sent to each member not fewer than five days before the meeting. (8) The administrator, the officers and inspectors of the division designated by the commission, and peace officers shall: (a) make arrests upon view and without warrant for any violation committed in their presence of any of the provisions of this chapter, or Title 41, Chapter 1a, Motor Vehicle Act; (b) when on duty, upon reasonable belief that a motor vehicle, trailer, or semitrailer is

being operated in violation of any provision of Title 41, Chapter 1a, Motor Vehicle Act, require

the driver of the vehicle to stop, exhibit the person's driver license and the registration card

issued for the vehicle, and submit to an inspection of the vehicle, the license [plates] plate, and registration card; (c) serve all warrants relating to the enforcement of the laws regulating the operation of motor vehicles, trailers, and semitrailers; (d) investigate traffic accidents and secure testimony of any witnesses or persons involved; and (e) investigate reported thefts of motor vehicles, trailers, and semitrailers. (9) The administrator may contract with a public prosecutor to provide additional prosecution of this chapter. Section 24. Section 41-3-209 is amended to read: 41-3-209. Administrator's findings -- Suspension and revocation of license. (1) If the administrator finds that an applicant is not qualified to receive a license, a license may not be granted. (2) (a) If the administrator finds that there is reasonable cause to deny, suspend, or revoke a license issued under this chapter, the administrator shall deny, suspend, or revoke the license. (b) Reasonable cause for denial, suspension, or revocation of a license includes, in relation to the applicant or license holder or any of the applicant or license holder's partners, officers, or directors: (i) lack of a principal place of business or authorized service center as required by this chapter; (ii) lack of a sales tax license required under Title 59, Chapter 12, Sales and Use Tax Act; (iii) lack of a bond in effect as required by this chapter; (iv) current revocation or suspension of a dealer, dismantler, auction, or salesperson license issued in another state; (v) nonpayment of required fees; (vi) making a false statement on any application for a license under this chapter or for a special license [plates] plate; (vii) a violation of any state or federal law involving motor vehicles;



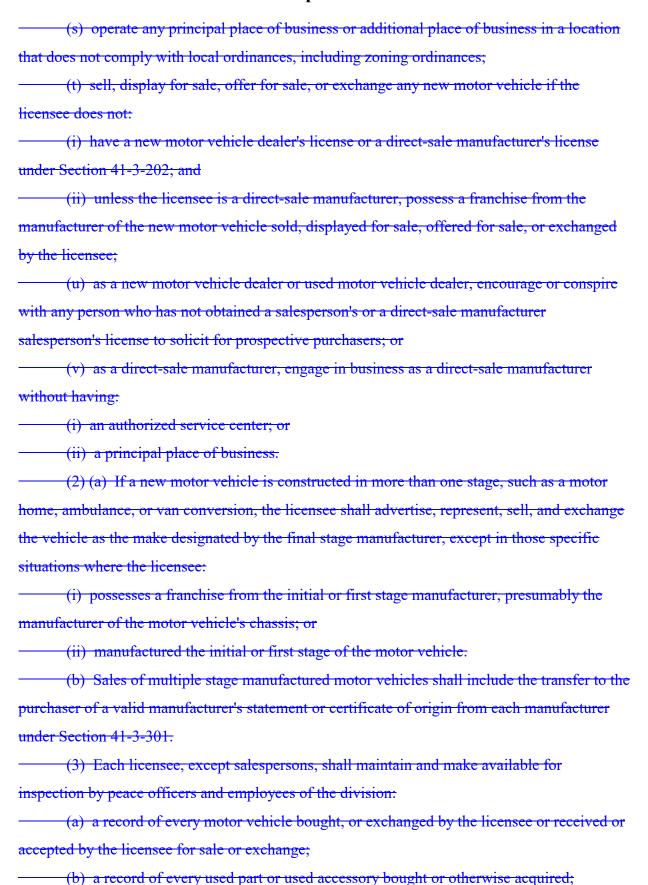
licensee was licensed may continue to operate subject to the preventive action taken under this

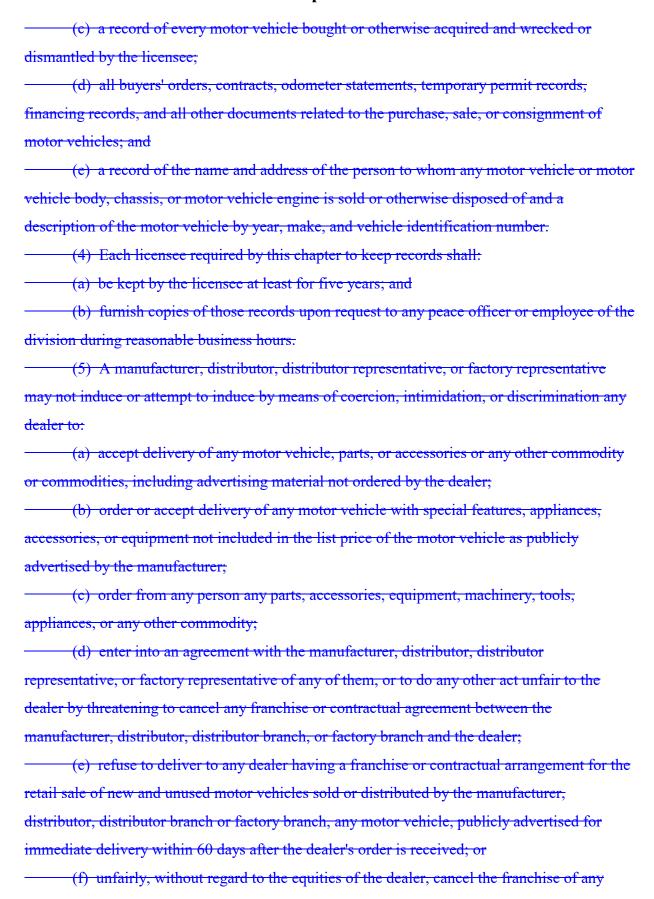
subsection. Section 25. Section 41-3-210 is amended to read: 41-3-210. License holders -- Prohibitions and requirements. (1) The holder of any license issued under this chapter may not: (a) intentionally publish, display, or circulate any advertising that is misleading or inaccurate in any material fact or that misrepresents any of the products sold, manufactured, remanufactured, handled, or furnished by a licensee; (b) intentionally publish, display, or circulate any advertising without identifying the seller as the licensee by including in the advertisement the full name under which the licensee is licensed or the licensee's number assigned by the division; (c) violate this chapter or the rules made by the administrator; (d) violate any law of the state respecting commerce in motor vehicles or any rule respecting commerce in motor vehicles made by any licensing or regulating authority of the state; (e) engage in business as a new motor vehicle dealer, special equipment dealer, used motor vehicle dealer, motor vehicle crusher, or body shop without having in effect a bond as required in this chapter; (f) act as a dealer, dismantler, crusher, manufacturer, transporter, remanufacturer, or body shop without maintaining a principal place of business; (g) unless the licensee is a special equipment dealer who sells a new special equipment motor vehicle with a gross vehicle weight of 12,000 or more pounds after installing special equipment on the motor vehicle: (i) engage in a business respecting the selling or exchanging of new or new and used motor vehicles for which the licensee is not licensed; and (ii) unless the licensee is a direct-sale manufacturer, sell or exchange a new motor vehicle for which the licensee does not have a franchise; (h) dismantle or transport to a crusher for crushing or other disposition any motor vehicle without first obtaining a dismantling or junk permit under Section 41-1a-1009, 41-1a-1010, or 41-1a-1011; (i) as a new motor vehicle dealer, special equipment dealer, or used motor vehicle

dealer fail to give notice of sales or transfers as required in Section 41-3-301; (j) advertise or otherwise represent, or knowingly allow to be advertised or represented on the licensee's behalf or at the licensee's place of business, that no down payment is required in connection with the sale of a motor vehicle when a down payment is required and the buyer is advised or induced to finance a down payment by a loan in addition to any other loan financing the remainder of the purchase price of the motor vehicle; (k) as a crusher, crush or shred a motor vehicle brought to the crusher without obtaining proper evidence of ownership of the motor vehicle; proper evidence of ownership is a certificate of title endorsed according to law or a dismantling or junk permit issued under Section 41-1a-1009, 41-1a-1010, or 41-1a-1011; (1) as a manufacturer or remanufacturer assemble a motor vehicle that does not comply with construction, safety, or vehicle identification number standards fixed by law or rule of any licensing or regulating authority; (m) as anyone other than a salesperson or a direct-sale manufacturer salesperson licensed under this chapter, be present on a dealer display space and contact prospective customers to promote the sale of the dealer's vehicles; (n) sell, display for sale, or offer for sale motor vehicles at any location other than the principal place of business or additional places of business licensed under this chapter; this provision is construed to prevent dealers, salespersons, or any other representative of a dealership from selling, displaying, or offering motor vehicles for sale from their homes or other unlicensed locations; (o) (i) as a dealer, dismantler, body shop, or manufacturer, maintain a principal place of business or additional place of business that shares any common area with a business or activity not directly related to motor vehicle commerce; or (ii) maintain any places of business that share any common area with another dealer, dismantler, body shop, or manufacturer; (p) withhold delivery of [license plates] a license plate obtained by the licensee on behalf of a customer for any reason, including nonpayment of any portion of the vehicle purchase price or down payment;

(r) alter a temporary permit in any manner;

(q) issue a temporary permit for any vehicle that has not been sold by the licensee;



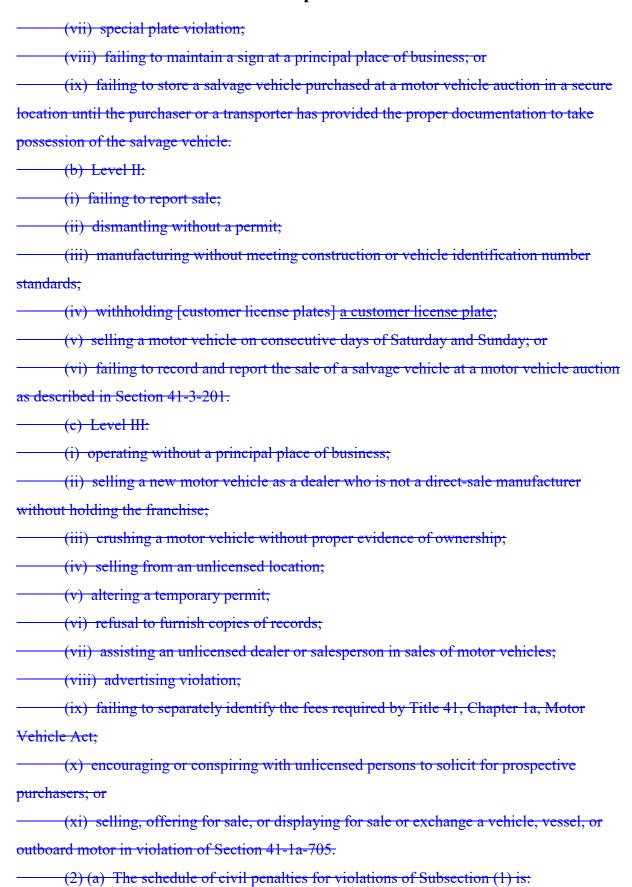


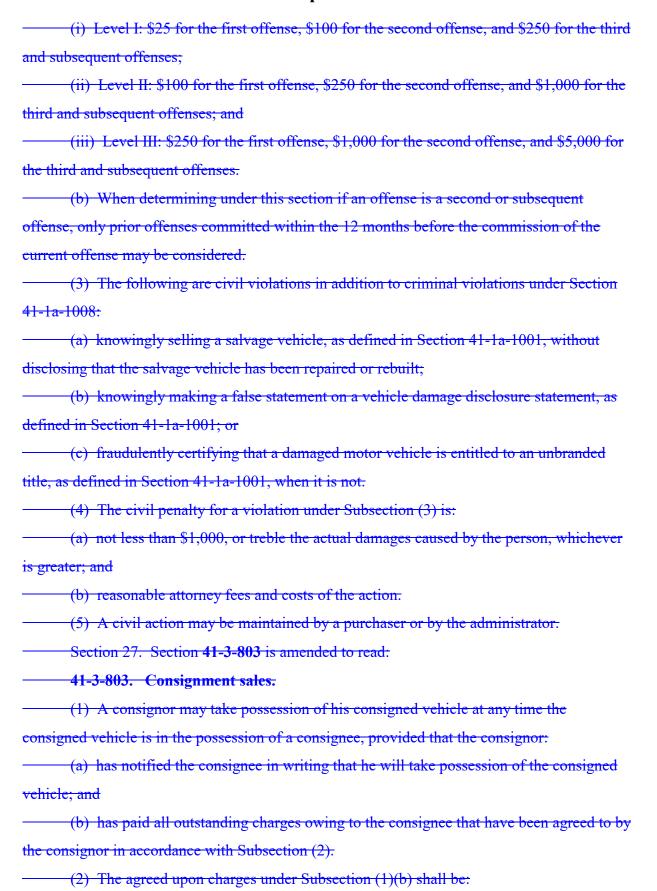
motor vehicle dealer; the nonrenewal of a franchise or selling agreement without cause is a violation of this subsection and is an unfair cancellation. (6) A dealer may not assist an unlicensed dealer or salesperson in unlawful activity through active or passive participation in sales, or by allowing use of his facilities or dealer license number, or by any other means. (7) (a) The holder of any new motor vehicle dealer or direct-sale manufacturer license issued under this chapter may not sell any new motor vehicle to: (i) another dealer licensed under this chapter who does not hold a valid franchise for the make of new motor vehicles sold, unless the selling dealer licenses and titles the new motor vehicle to the purchasing dealer; or (ii) any motor vehicle leasing or rental company located within this state, or who has any branch office within this state, unless the dealer licenses and titles the new motor vehicle to the purchasing, leasing, or rental company. (b) Subsection (7)(a)(i) does not apply to the sale of a new incomplete motor vehicle with a gross vehicle weight of 12,000 or more pounds to a special equipment dealer licensed under this chapter. (8) A dealer licensed under this chapter may not take on consignment any new motor vehicle from anyone other than a new motor vehicle dealer, factory, or distributor who is licensed and, if required, franchised to distribute or sell that make of motor vehicle in this or any other state. (9) A body shop licensed under this chapter may not assist an unlicensed body shop in unlawful activity through active or passive means or by allowing use of its facilities, name, body shop number, or by any other means. (10) A used motor vehicle dealer licensed under this chapter may not advertise, offer for sale, or sell a new motor vehicle that has been driven less than 7,500 miles by obtaining a title only to the vehicle and representing it as a used motor vehicle. (11) (a) Except as provided in Subsection (11)(c), or in cases of undue hardship or emergency as provided by rule by the division, a dealer or salesperson licensed under this chapter may not, on consecutive days of Saturday and Sunday, sell, offer for sale, lease, or offer

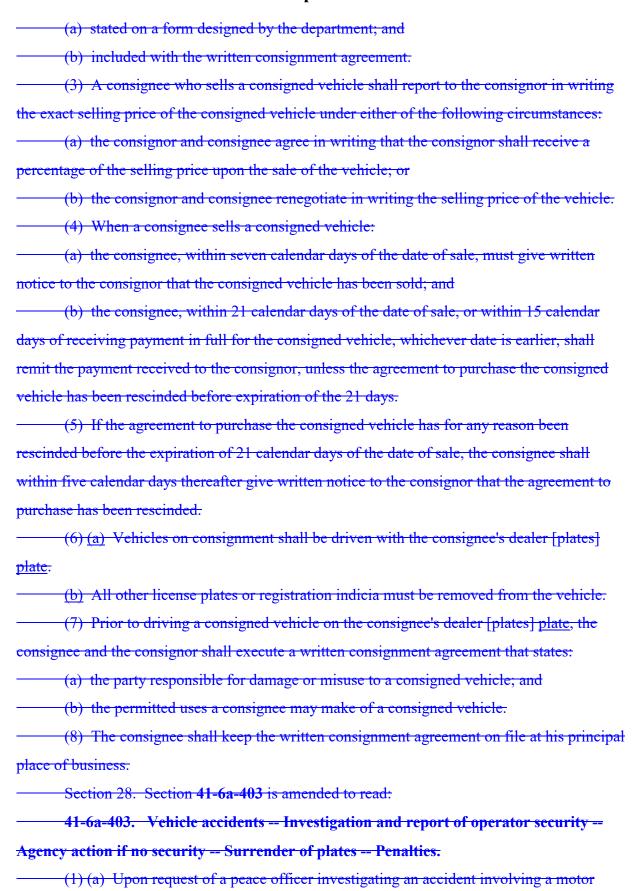
(b) Each day a motor vehicle is sold, offered for sale, leased, or offered for lease in

for lease a motor vehicle.

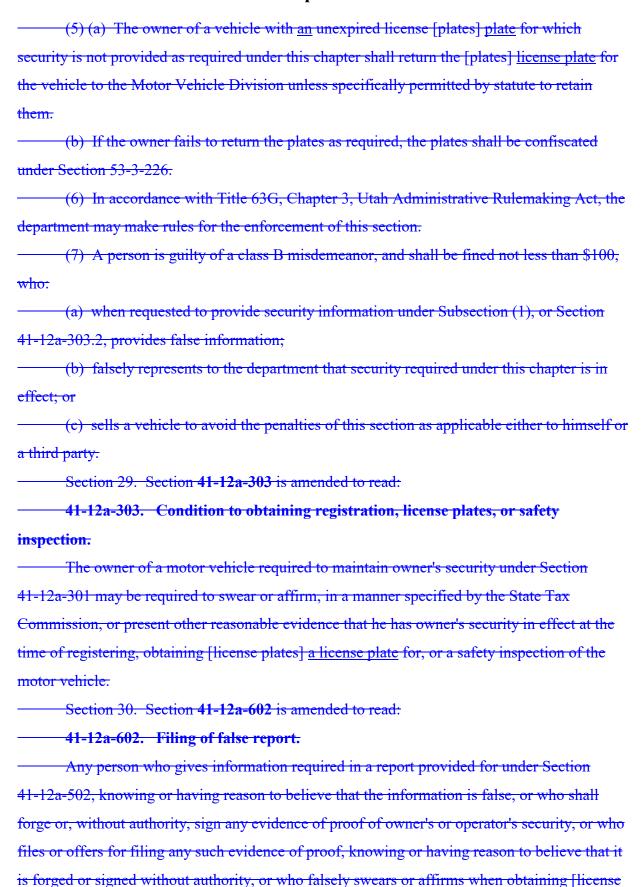
violation of Subsection (11)(a) and each motor vehicle sold, offered for sale, leased, or offered for lease in violation of Subsection (11)(a) shall constitute a separate offense. (c) The provisions of Subsection (11)(a) shall not apply to a dealer participating in a trade show or exhibition if: (i) there are five or more dealers participating in the trade show or exhibition; and (ii) the trade show or exhibition takes place at a location other than the principal place of business of one of the dealers participating in the trade show or exhibition. (12) For purposes of imposing the sales and use tax under Title 59, Chapter 12, Sales and Use Tax Act, a licensee issuing a temporary permit under Section 41-3-302 shall separately identify the fees required by Title 41, Chapter 1a, Motor Vehicle Act. (13) (a) A dismantler or dealer engaged in the business of dismantling motor vehicles for the sale of parts or salvage shall identify any vehicles or equipment used by the dismantler or dealer for transporting parts or salvage on the highways. (b) The identification required under Subsection (13)(a) shall: (i) include the name, address, and license number of the dismantler or dealer; and (ii) be conspicuously displayed on both sides of the vehicle or equipment in clearly legible letters and numerals not less than two inches in height. Section 26. Section 41-3-702 is amended to read: 41-3-702. Civil penalty for violation. (1) The following are civil violations under this chapter and are in addition to criminal violations under this chapter: (a) Level I: (i) failing to display business license; (ii) failing to surrender license of salesperson because of termination, suspension, or revocation; (iii) failing to maintain a separation from nonrelated motor vehicle businesses at licensed locations; (iv) issuing a temporary permit improperly; (v) failing to maintain records; (vi) selling a new motor vehicle to a nonfranchised dealer or leasing company without licensing the motor vehicle;







vehicle, the operator of the motor vehicle shall provide evidence of the owner's or operator's security required under Section 41-12a-301. (b) The evidence of owner's or operator's security includes information specified under Section 41-12a-303.2. (2) The peace officer shall record on a form approved by the department: (a) the information provided by the operator; (b) whether the operator provided insufficient or no information; (c) whether the officer finds reasonable cause to believe that any information given is not correct; and (d) whether other information available to the peace officer indicates that owner's or operator's security is in effect. (3) The peace officer shall deposit all completed forms with the peace officer's law enforcement agency, which shall forward the forms to the department no later than 10 days after receipt. (4) (a) The department shall within 10 days of receipt of the forms from the law enforcement agency take action as follows: (i) if the operator provided no information under Subsection (1) and other information available to the peace officer does not indicate that owner's or operator's security is in effect, the department shall take direct action under Subsection 53-3-221(13); or (ii) if the peace officer noted or the department determines that there is reasonable cause to believe that the information given under Subsection (1) is not correct, the department shall contact directly the insurance company or other provider of security as described in Section 41-12a-303.2 and request verification of the accuracy of the information submitted as of the date of the accident. (b) The department may require the verification under Subsection (4)(a)(ii) to be in a form specified by the department. (c) The insurance company or other provider of security shall return the verification to the department within 30 days of receipt of the request. (d) If the department does not receive verification within 35 days after sending the request, or within the 35 days receives notice that the information was not correct, the department shall take action under Subsection 53-3-221(13).



plates] <u>a license plate</u>, a safety inspection, or a registration under Section 41-12a-303, is guilty of a class A misdemeanor.

Section 31. Effective date.

(1) Except as provided in Subsection (2), the amendments to Section 41-1a-404 take effect on May 14, 2019.

(2) This bill takes effect on January 1, 2020.